UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	v
CITIZENS UNION OF THE CITY OF NEW YORK et al.,	-x : :
Plaintiffs,	: :
-against-	: No. 16-cv-9592 (RMB) (KHP)
THE ATTORNEY GENERAL OF THE STATE OF NEW YORK,	: : :
Defendants.	: -x

DECLARATION OF RANDY M. MASTRO IN SUPPORT OF PLAINTIFFS' <u>MOTION FOR SUMMARY JUDGMENT</u>

RANDY M. MASTRO declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

- 1. I am a member in good standing of the bar of this Court and a partner at Gibson, Dunn & Crutcher LLP, counsel for Citizens Union of the City of New York and Citizens Union Foundation (collectively, "Citizens Union"). I submit this declaration in support of the motion for summary judgment submitted jointly by the plaintiffs in the above-captioned consolidated actions, dated May 24, 2018.
- 2. Attached hereto as <u>Exhibit 1</u> is a true and correct copy of a Politico article written by Bill Mahoney entitled, "Legislature Passes Transparency Bill Before 5 a.m.," dated June 18, 2016.
- 3. Attached hereto as <u>Exhibit 2</u> is a true and correct copy of a press release from Governor Andrew M. Cuomo's office entitled, "Governor Cuomo Advances Nation's Strongest Protections to Combat Citizens United," dated June 8, 2016.

- 4. Attached hereto as <u>Exhibit 3</u> is a true and correct copy of a press release from Governor Andrew M. Cuomo's office entitled, "Governor Cuomo and Legislative Leaders Announce Agreement on 5 Point Ethics Reform Plan," dated June 17, 2016.
- 5. Attached hereto as **Exhibit 4** is a true and correct copy of the Governor's Program Bill Memorandum for Program Bill #39.
- 6. Attached hereto as **Exhibit 5** is a true and correct copy of excerpts from the transcript of the Senate debate on Chapter 286.
 - 7. Attached hereto as **Exhibit 6** is a true and correct copy of the text of Chapter 286.
- 8. Attached hereto as **Exhibit 7** is a true and correct copy of the Governor's Message of Necessity, dated June 18, 2016.
- 9. Attached hereto as **Exhibit 8** is a true and correct copy of excerpts from the transcript of the Assembly debate on Chapter 286.
- 10. Attached hereto as **Exhibit 9** is a true and correct copy of the Assembly's Statement in Support of Legislation, dated June 20, 2016.
- 11. Attached hereto as **Exhibit 10** is a true and correct copy of the Governor's Approval Message, dated August 24, 2016.
- 12. Attached hereto as **Exhibit 11** is a true and correct copy of an email from Laura Abel to Julia Kupiec, copying Giancarlo Pellegrini, Sharry Gorgan, Sandi Toll, Sean Delaney, Georgana Hanson, and James. W. Lytle, dated August 9, 2016.
- 13. Attached hereto as **Exhibit 12** is a true and correct copy of a memorandum from Lawyers Alliance for New York titled "S.8160 Will Have Unintended Consequences for 501(c)(3) Organizations and Their Donors."

- 14. Attached hereto as **Exhibit 13** is a true and correct copy of an email from Laura Abel to Julia Kupiec, copying Sean Delany, dated August 12, 2016.
- 15. Attached hereto as **Exhibit 14** is a true and correct copy of a memorandum from Sean Delany and Laura Abel to "Interest parties" regarding "Ways to avoid unintended consequences of the 501(c)(3) disclosure provision of S.8160," dated August 12, 2016.
- 16. Attached hereto as **Exhibit 15** is a true and correct copy of an email chain among Sean Delany, Laura Abel, and Julia Kupiec, including communications from August 12-18, 2016.
- 17. Attached hereto as **Exhibit 16** is a true and correct copy of an email from Robert Perry to gov.cuomo@chamber.state.ny.us, dated August 15, 2016, and an email from Robert Perry forwarding that email to Alphonso David, dated August 15, 2016.
- 18. Attached hereto as **Exhibit 17** is a true and correct copy of a letter from Robert Perry to Governor Cuomo, dated August 15, 2016.
- 19. Attached hereto as **Exhibit 18** is a true and correct copy of an email from Dick Dadey to Alphonso David, copying Blair Horner, Susan Lerner, and Dare Thompson, dated August 23, 2016.
- 20. Attached hereto as **Exhibit 19** is a true and correct copy of a letter from Dick Dadey, Susan Lerner, Dare Thompson, Steven Choi, and Blair Horner to Governor Cuomo, dated August 22, 2016.
- 21. Attached hereto as <u>Exhibit 20</u> is a true and correct copy of emails between John Cordo and Giancarlo Pellegrini, copying April Corrigan, Michael Lieberman, Amy Folger, "terri@cicu.org," and "malcom@cicu.org," dated August 16, 2016.

- 22. Attached hereto as **Exhibit 21** is a true and correct copy of an email from John Cordo to Giancarlo Pellegrini, including the document attached thereto, copying April Corrigan, Michael Lieberman, terri@cicu.org, and malcom@cicu.org, dated August 16, 2016.
- 23. Attached hereto as **Exhibit 22** is a true and correct copy of an email from Georgana Hanson to Julie Kupiec, copying James W, Lytle, dated August 12, 2016.
- 24. Attached hereto as Exhibit 23 is a true and correct copy of the Legislative Bill Jacket for Chapter 286.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 24, 2018

New York, New York

My M. Matro
Randy M. Mastro